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David L. Armstrong
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Commissioner

September 19, 2014

PARTIES OF RECORD

Re: Case No. Case No. 2014-00141
Kurt and Layne Netherton, Complainant; Kentucky-American Water Company,
Defendant

Attached is a copy of the memorandum which is being filed in the record of the above-referenced case. If you have any comments you would like to make regarding the contents of the informal conference memorandum, please do so within five days of receipt of this letter. If you have any questions, please contact Nancy Vinsel, Staff Attorney, at 502-782-2582.

Sincerely,



Jeff Derouen
Executive Director

NV/ch

Attachment

INTRA-AGENCY MEMORANDUM

KENTUCKY PUBLIC SERVICE COMMISSION

TO: Case File No. 2014-00141

FROM: Nancy J. Vinsel
Staff Attorney

DATE: September 19, 2014

RE: Kurt and Layne Netherton v. Kentucky American Water Company

On September 18, 2014, Commission Staff held an informal conference in this matter to determine whether the parties wished to conduct supplemental discovery and the procedures for filing witness testimony. Attending the conference were:

Nancy J. Vinsel	-	Commission Staff
Eddie Beavers	-	Commission Staff
George Wakim	-	Commission Staff
Ariel Turnbull	-	Commission Staff
Lindsay Ingram	-	Attorney for Kentucky American Water Company
Cheryl Norton	-	President, Kentucky American Water Company
Keith Cartier	-	Vice President of Operations, Kentucky American Water Company
Kurt B. Netherton	-	Complainant
Layne Netherton	-	Complainant

The parties stated their positions on prefiled witness testimony. After a discussion of typical prehearing and hearing procedures, the parties came to an agreement to prefile direct and rebuttal witness testimony.

Mr. Ingram restated Kentucky American Water Company's ("Kentucky American") opinion that no hearing is necessary and that the written record is sufficiently complete. Mr. Ingram asked if Mr. and Mrs. Netherton wish to have a hearing or if they would agree to submit the matter to the Commission for a decision based upon the written record. Mrs. Netherton responded that she and Mr. Netherton want a hearing.

Mrs. Netherton expressed Complainants' preference for supplemental discovery. Mr. Ingram indicated the parties might desire supplemental discovery after direct testimony was filed. Ms. Vinsel stated a preference to schedule supplemental discovery after witness direct testimony was prefiled and before rebuttal testimony was prefiled.

Mr. Ingram stated that Mrs. Netherton had emailed him with questions regarding Kentucky American's initial discovery responses to Staff's Item 2 and requested that Kentucky American have until the end of September to file an amended response.

Mrs. Netherton indicated they had additional questions regarding Kentucky American's discovery responses, but, due to pressing family issues, would need additional time to prepare those questions. After discussion, it was agreed that the Nethertons would have until October 15, 2014, to submit their follow up discovery questions to Kentucky American and Kentucky American would have until November 5, 2014 to provide their responses.

Due to scheduling issues, it was agreed to reschedule the hearing, tentatively scheduled for December 9, 2014, until early in 2015. The Commission will issue a procedural schedule.

cc: Parties of Record

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KURT AND LAYNE NETHERTON)	
COMPLAINANT)	CASE NO.
)	2014-00141
VS.)	
)	
KENTUCKY AMERICAN WATER COMPANY)	
DEFENDANT)	

Sept. 18, 2014

Please sign in:

NAME	REPRESENTING
<u>Nancy Vinsel</u>	<u>PSC</u>
<u>Ariel Turnbull</u>	<u>"</u>
<u>George W. Wakim</u>	<u>"</u>
<u>Layne Netherton</u>	<u>Complainant</u>
<u>Kurt Netherton</u>	<u>Complainant</u>
<u>Lindsey Ingram</u>	<u>KAW</u>
<u>Keith Cartier</u>	<u>KAW</u>
<u>Sheryl Norton</u>	<u>KAW</u>
<u>Eddie Beavers</u>	<u>PSC Staff</u>